



# BEFORE THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

1999 N. AMIDON, SUITE 350 • WICHITA, KANSAS 67203  
Tel (316) 832-9906 • Fax (316) 832-9679

In the Matter of )  
 )  
DWAIN K. DIEHL ) Case No. 2015-0101  
 #04001 )  
 )

## **SUMMARY ORDER OF REVOCATION**

Pursuant to K.S.A. 77-537

The above captioned matter comes on for Commission action through a summary proceeding under the Kansas Administrative Procedures Act, K.S.A. 77-537, regarding the law enforcement certificate of respondent, DWAIN K. DIEHL.

1. Respondent, DWAIN K. DIEHL, is a holder of a certificate from the Kansas Commission on Peace Officers' Standards and Training.
2. On April 4, 2016 respondent was convicted of one (1) count of Criminal Threat, pursuant to K.S.A. 21-5415(a)(1), a Severity Level 9 Person Felony, in Sedgwick County Kansas District Court case number 15CR72.
3. Pursuant to K.S.A. 74-5616(b)(1), the Commission may revoke the certification of any police or law enforcement officer who fails to meet and maintain the requirements of K.S.A. 74-5605 or K.S.A. 74-5607a, and amendments thereto.

4. K.S.A. 74-5605 sets forth the minimum requirements for an applicant for certification under the jurisdiction of the Kansas Law Enforcement Training Act. K.S.A. 74-5605(b)(3) states that each applicant for certification shall meet the following requirements:

“not have been convicted of a crime that would constitute a felony under the laws of this state ...”

5. Under K.S.A. 77-537, the Commission may conduct these summary proceedings, subject to respondent’s request for a hearing. The Commission finds that the use of summary proceedings in these circumstances does not violate any provisions of law and the protection of the public interest does not require the Commission to give notice and opportunity to participate to any person other than respondent.

### **ORDER**

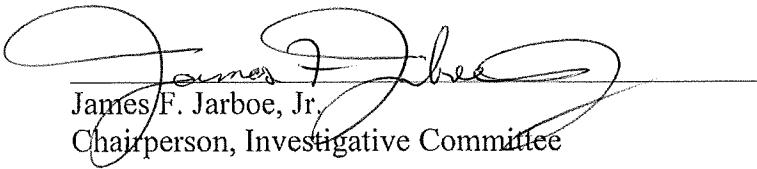
Based on the respondent having been convicted of a felony, the Commission orders that the Kansas Law Enforcement Officer Certification of DWAIN K. DIEHL be revoked.

ACCORDINGLY THE KANSAS COMMISSION ON PEACE OFFICERS’ STANDARDS AND TRAINING CERTIFICATE OF DWAIN K. DIEHL IS HEREBY REVOKED.

FURTHER, respondent is ordered to surrender and return to the Commission all evidence of his certification as a law enforcement officer.

DATED this 22<sup>nd</sup> of August 2016.

KANSAS COMMISSION ON PEACE OFFICERS’ STANDARDS AND TRAINING



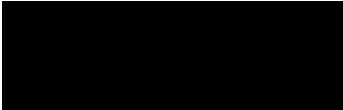
James F. Jarboe, Jr.  
Chairperson, Investigative Committee

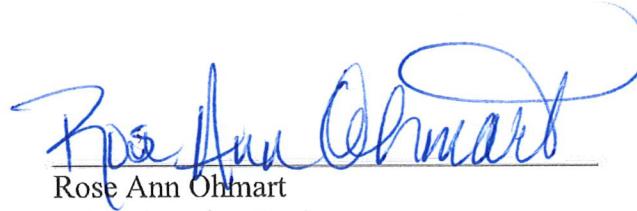
**NOTICE OF RELIEF FROM THIS SUMMARY ORDER**

Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must be filed within fifteen (15) days from the date indicated in the Certificate of Service below. If a written request for hearing is not so made, this Summary Order becomes final and effective upon the expiration of the time for requesting a hearing.

**CERTIFICATE OF SERVICE**

This is to certify that on the 25<sup>th</sup> day of August, 2016, true and correct copies of the above and foregoing Summary Order of Revocation of Certificate were deposited in the United States mail, certified, return receipt requested, or deposited in the United States mail, first class postage prepaid, addressed to:

DWAIN K. DIEHL  


  
Rose Ann Ohlmart  
Administrative Assistant